

Public Law 96-502
96th Congress

An Act

To amend the Safe Drinking Water Act, and for other purposes.

Dec. 5, 1980

[H.R. 8117]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Section 1416(b)(2) of the Public Health Service Act is amended by striking out "1981" in subparagraph (A)(i) thereof and substituting "1984" and by striking out "1983" in subparagraph (B)(i) thereof and substituting "1986".

SEC. 2. (a) Part C of title XIV of the Public Health Service Act is amended by adding the following at the end thereof:

Safe Drinking
Water Act,
amendment.
42 USC 300g-5.

"OPTIONAL DEMONSTRATION BY STATES RELATING TO OIL OR NATURAL GAS

"SEC. 1425. (a) For purposes of the Administrator's approval or disapproval under section 1422 of that portion of any State underground injection control program which relates to—

42 USC 300h-4.
42 USC 300h-1.

"(1) the underground injection of brine or other fluids which are brought to the surface in connection with oil or natural gas production, or

"(2) any underground injection for the secondary or tertiary recovery of oil or natural gas,

in lieu of the showing required under subparagraph (A) of section 1422(b)(1) the State may demonstrate that such portion of the State program meets the requirements of subparagraphs (A) through (D) of section 1421(b)(1) and represents an effective program (including adequate recordkeeping and reporting) to prevent underground injection which endangers drinking water sources.

42 USC 300h.

"(b) If the Administrator revises or amends any requirement of a regulation under section 1421 relating to any aspect of the underground injection referred to in subsection (a), in the case of that portion of a State underground injection control program for which the demonstration referred to in subsection (a) has been made, in lieu of the showing required under section 1422(b)(1)(B) the State may demonstrate that, with respect to that aspect of such underground injection, the State program meets the requirements of subparagraphs (A) through (D) of section 1421(b)(1) and represents an effective program (including adequate recordkeeping and reporting) to prevent underground injection which endangers drinking water sources.

42 USC 300h-1.

42 USC 300h.

"(c)(1) Section 1422(b)(3) shall not apply to that portion of any State underground injection control program approved by the Administrator pursuant to a demonstration under subsection (a) of this section (and under subsection (b) of this section where applicable).

"(2) If pursuant to such a demonstration, the Administrator approves such portion of the State program, the State shall have primary enforcement responsibility with respect to that portion until such time as the Administrator determines, by rule, that such

Enforcement.

- demonstration is no longer valid. Following such a determination, the Administrator may exercise the authority of subsection (c) of section 1422 in the same manner as provided in such subsection with respect to a determination described in such subsection.
- 42 USC 300h-1. Rules. “(3) Before promulgating any rule under paragraph (2), the Administrator shall provide opportunity for public hearing respecting such rule.”
- 42 USC 300h-2. (b) Section 1423(a)(1) of such Act is amended by inserting after “(within the meaning of section 1422(b)(3))” the following: “or section 1425(c)”.
- 42 USC 300j-2. (c) Section 1443(c)(2) of title XIV of the Public Health Service Act is amended by inserting the following at the end thereof: “Such term includes, where applicable, a program which meets the requirements of section 1425.”
- 42 USC 300h. SEC. 3. Section 1421(d)(1) of the Public Health Service Act is amended by adding the following at the end thereof: “Such term does not include the underground injection of natural gas for purposes of storage.”
- 42 USC 300g-4. SEC. 4. (a) Section 1415 of the Public Health Service Act is amended by inserting the following section heading at the beginning of such section: “Variances”.
- 42 USC 300g-5. (b) Section 1416(a)(2) of the Public Health Service Act is amended by inserting immediately after “requirement,” the following: “or, for a system that was not in operation by that date, only if no reasonable alternative source of drinking water is available to such new system,”.
- 42 USC 300h. (c) Section 1421(b)(1)(A) of the Public Health Service Act is amended by striking out “effective three years after the date of the enactment of this title,” and inserting in lieu thereof the following: “effective on the date on which the applicable underground injection control program takes effect,”.
- 42 USC 300j-2. (d) Section 1443(b)(2) of the Public Health Service Act is amended by striking out the second and third sentences therein and inserting in lieu thereof the following: “No grant may be made to any State under paragraph (1) unless the State has assumed primary enforcement responsibility within two years after the date the Administrator promulgates regulations for State underground injection control programs under section 1421.”
- 42 USC 300j-1. SEC. 5. Section 1442 of title XIV of the Public Health Service Act is amended by inserting the following new subsection after subsection (d) and by redesignating subsection (e) as (f):

“(e) The Administrator is authorized to make grants to a public water system which is required, under State or local law, to meet standards relating to drinking water turbidity which are more stringent than the standards in effect pursuant to this title. Such grants shall be used by the public water system for the development and demonstration (including construction and installation) of any water filtration system which will demonstrate a new or improved method of meeting such more stringent standards.”.

Grants.

Approved December 5, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-1348 (Comm. on Interstate and Foreign Commerce).
CONGRESSIONAL RECORD, Vol. 126 (1980):

Sept. 22, 23, considered and passed House.

Nov. 19, considered and passed Senate.